

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
AT ELKINS

U.S. DISTRICT COURT
FILED AT ELKINS, W. VA.

ALBERT TAYLOR and
HELENA TAYLOR,
PLAINTIFFS

AUG - 6 1993


V.

CIVIL ACTION NO. 93-93-E

RON BROWN, Secretary, United States
Department of Commerce, in his official
capacity, and the HARDY COUNTY RURAL
DEVELOPMENT AUTHORITY,
DEFENDANTS

STIPULATED ORDER

On August 4, 1993, the parties through their counsel, James Kringlen (on behalf of the plaintiffs), Lary D. Garrett (on behalf of defendant Hardy County Rural Development Authority), and Patrick M. Flatley, Assistant United States Attorney for the Northern District of West Virginia (on behalf of defendant Secretary, United States Department of Commerce), again advised the Court that they had been conferring with each other with a view toward resolution of this matter without further litigation; however, the Defendants' answer would be due on August 11, 1993.



The parties further announced unto the Court that Plaintiff had agreed that Defendants' answer would not be due August 11, 1993; in the event that the parties reach a resolution of this matter, that there would be no need for Defendants to file an answer; however, if it should develop that the matter cannot be completely resolved without further litigation that Plaintiffs would agree that at said time, Defendants would have seven (7) days to file their answer.

The Court being so advised, and again finding that it would be constructive for settlement discussions to continue, it is accordingly

ORDERED that Defendants answer shall not be due on August 11, 1993, but shall not be due until seven (7) days after the parties have determined that the matter cannot be resolved without further litigation and have so advised the Court; it is further

ORDERED that the status quo setforth in the Court's Order of July 20, 1993, shall remain in effect such that the Defendants shall take no further action draining, dredging, disturbing or otherwise altering the pond which is the subject of Plaintiffs' complaint until further order of this Court shall issue.

The Clerk of the Court is directed to send copies of this Order to Counsel for the parties, as directed in the Order of July 27.

ENTER: August 6th, 1993.


UNITED STATES DISTRICT JUDGE

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I hereby certify that the annexed instrument
is a true and correct copy of the original filed
in my office.

ATTES: Dr. Wally Edgell
Clerk, U. S. District Court
Northern District of West Virginia

By: 
Deputy Clerk